

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 5, 1967
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Palmer presiding.

Roll call:

Present: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by MR. DOREN R. ESKEW, City Attorney.

Pursuant to published notice thereof the following zoning applications were publicly heard:

W. T. BENNETT	3905-3909 Manchaca Road	From "A" Residence To "O" Office RECOMMENDED by the Planning Commission
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Councilman LaRue moved that the change to "O" Office be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance to cover.

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CECIL LEE BRIGGS

Tract 1	
5511-5513 Guadalupe Street	From "A" Residence
503 West 56th Street	To "B" Residence
Tract 2	RECOMMENDED by the
5507-5509 Guadalupe Street	Planning Commission
503 West 55 $\frac{1}{2}$ Street	

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The Chief of Plan Administration pointed out the need of additional right of way. Councilman White moved to have the ordinance brought in and the necessary right of way be provided by next week. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "B" Residence and the City Attorney was instructed to draw the necessary ordinance to cover.

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VANCE FOX

7029-7043 U.S. Highway
290 East

From "GR" General
Retail
To "C" Commercial
RECOMMENDED by the
Planning Commission

Councilman Long moved that the change to "C" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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TEXAS CONFERENCE
ASSOCIATION OF
SEVENTH-DAY ADVENTISTS,
By Marvin Braswell

101-213 Northeast Drive

From "A" Residence
To "GR" General Re-
tail
RECOMMENDED by the
Planning Commission

A representative of the Seventh Day Adventists said they had agreed to give 60' of right of way in such places that the city requires. Councilman Long moved to grant the zoning change subject to the right of way being dedicated. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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AGATHA McDONALD
By Thomas T. Smith

706 Denson Drive

From "B" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

Councilman Long moved that the change to "C" Commercial be granted. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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TERRELL TIMMERMANN

5420 Middle Fiskville Road
705-711 East 55th Street

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

Councilman Long moved to grant the zoning change subject to the right of way being dedicated. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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POWELL & WOOLSEY
ESTATE, By Bobby
R. McCratic

2006-2008 South Congress
Avenue

From "C" Commercial
2nd Height & Area
To "C-2" Commercial
2nd Height & Area
RECOMMENDED by the
Planning Commission

Mr. Bobby McCratic, representing the applicants, stated he had invested \$7000 in remodeling the building for a lounge. No one had expressed objections at the Planning Commission hearing. He pointed out establishments selling beer in the near vicinity at this time. Opposition was expressed by MRS. C. H. RICHEY, as this site was across the street from Fulmore School, and she was concerned about the element of people who would hang out at this lounge. It was pointed out this lounge would be more than 300' from the door of Fulmore School. MR. HOWARD LONG, 1510 Betty Joe, owner of a lot south of this location, stated this would not be a profitable venture as the City would suffer a loss on having to send police to this place and to places of accidents caused by people coming from this establishment. Mr. McCratic explained this lounge would be a high class Night Club and Lounge, and none but the best people would go there. It would not be like other lounges in the neighborhood. Mrs. Richey stated portable school

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rooms might be added on to Fulmore, and they would necessarily be located within 300' of this location. It was explained there had been an amendment to the ordinance reenacting the 300' provision but providing the section would not apply to any places of business legally selling alcoholic beverages at the same location for a continuous period of one year. Councilman Shanks moved to sustain the Planning Commission and grant the change. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

MRS. RUBY B. RAY and MARTIN E. JOHNSON, By Doris French and L.A. Atkinson	4211-4213 Red River Street 901-903 East 43rd Street	From "A" Residence To "GR" General Retail NOT Recommended by the Planning Commission RECOMMENDED "O" Office
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Mr. L. A. Atkinson asked that "GR" General Retail be granted to permit him to put in an orthopedic supply shop. After discussion, Councilman Long moved to grant "GR" General Retail. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

JAKE SILBERSTEIN	2011-2013 Airport Blvd. (as amended)	From "C" Commercial To "C-2" Commercial NOT Recommended by the Planning Commission
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MR. MENDEZ represented the applicant stating they had asked for "C-2" Commercial at 19th and Airport Boulevard for all of the property for the use of a liquor store and for parking. He said they would not need all of the property for the liquor store, and they were asking for only 50' x 200' on Airport. Mr. Mendez was agreeable to change 150' x 50', leaving the 50' on the rear as it is. The Chief of Plan Administration, Mr. Ed Stevens, stated the Commission was not against the "C-2" Commercial zoning, but felt it should be confined to the building as a control of the sale of liquor. They wanted Mr. Silberstein to locate

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his building first and then pass the zoning. Councilman Long moved to grant the "C-2" Commercial zoning on the 50' x 150' tract. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "C-2" Commercial on the 50' x 150' tract and the City Attorney was instructed to draw the necessary ordinance to cover.

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W. O. SMITH	2200 Anderson Lane	From "A" Residence
By Travis M. Boykin	(2202 Anderson Lane)	To "GR" General
		Retail
		RECOMMENDED by the
		Planning Commission

Councilman White moved that the change to "GR" General Retail be granted. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail and the City Attorney was instructed to draw the necessary ordinance to cover.

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W. H. BULLARD	2806-2816 White Rock Drive	From Interim "A"
	6101-6129 Bullard Drive	Residence 1st
		Height & Area
		To "B" Residence
		1st Height & Area
		NOT Recommended by
		the Planning Commission

MR. BULLARD appeared in his own behalf stating this tract of land had been retained since 1950 for more intensive development, and there is a buffer strip of duplex apartment houses across the street. This is the only type of zoning that would cover his town house construction. Although the zoning would permit 100 units, he would restrict the use of the property to not more than 34 units, provide two off street parking spaces for each unit, and limit the height to two stories. The development would be planned as a condominium where the units could be sold or rented at \$200.00 up, and would be comparable to the duplexes across the street. Each unit would average \$20,000 in cost. The whole subdivision was designed for this type of final use, with sidewalks and 40' street paving. The creek easement was discussed. Mr. Bullard said this project would be usable for executives with IBM, University professors, and others. Opposition

was expressed for the property owners by MR. C. L. FRIOU, stating the application made five years ago for change of zoning was opposed by 250 people, and was withdrawn. Today, the feeling of the neighborhood is more intense in its protest. On file is a petition signed by 460 people, and 60-70 letters have been mailed to the Planning Commission opposing this change. He said deed restrictions were placed on ALLANDALE OAKS SECTION; TREADWELL, a subdivision of Allandale Terrace, excepting Lots 5-26, Lot C, and Lot 7, Block B which could be used as duplexes; and ALLANDALE TERRACE. Mr. Bullard stated this tract of land had no deed restrictions. Mr. Friou stated if apartments were to have been build here, this information should have been available to a relatively new neighborhood. The nearest apartments are one mile away, and were built on commercially zoned property. Five years hence, the feeling of the neighborhood will be even stronger in opposition. MR. HUGH HIGGINS stated there was confusion as to what was to be constructed. The opponents stated they would still be in objection if the land were restricted to 34 units. The Council wanted to make an on site inspection of the area. Later in the afternoon meeting, Councilman Shanks moved to sustain the Planning Commission and the zoning be DENIED. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the change had been DENIED.

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Mayor Palmer introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 39 OF THE AUSTIN CITY CODE OF 1954 AS FOLLOWS: LOT 1, BLOCK B OF NORTH PLAINS, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING SITUATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman LaRue moved that MR. C. T. JOHNSON be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. JOHNSON read a statement, citing there were numerous tracts of valuable State land that are not bringing any tax revenue to the City; nor are of no value to the State. He referred to the 80 acre tract and obsolete buildings on Bull Creek Road, conservatively estimated at \$5,000 per acre. There are about 350 students in this institution, and the land is used as a playground. He said this land should be sold at once at today's inflated prices, farm land bought and modern buildings constructed from the proceeds of the sale. Another site is the 30 acre tract on 45th, Lamar and West Guadalupe. When this property is sold to commercial and residential enterprises the State would receive a big profit, and the City would receive a substantial tax revenue. He suggested that the Council request the Travis County Legislative Delegation to use its influence to see that these properties are sold at the highest prices possible. Councilman White stated he was not for this at all. Councilman Long suggested that Mr. Johnson appear before the Legislature; and said that it would not be up to the Council to suggest to the Legislature what it should do with its land. Councilman LaRue likewise agreed that the Council was in no position to dictate to the Legislature what would be the best use of this land. MAYOR PALMER thanked Mr. Johnson, stating the Council had no hesitancy in going before the Travis County Delegation when it needed something for the City of Austin.

Councilman LaRue moved that MR. A. F. WHITE be heard. The motion was seconded by Councilman Long. Roll call showed a unanimous vote.

MR. WHITE appeared in the interest of a traffic light at South First Street and West Mary Street, calling attention to a petition filed with over 200 signatures on it. Mayor Palmer read a letter from MR. ORIN METCALFE and two others favoring the light at this intersection. The Council had a report from the Traffic Engineer. The Mayor stated from an engineering standpoint, the Traffic Engineer could not recommend the traffic signal. After discussing the traffic at this location, the Council wanted to drive out South 1st and take a look at the situation. Later in the afternoon meeting, Councilman Long moved to instruct the City Manager to have a traffic actuated signal light installed at West Mary and South 1st Street. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

REPORT FROM THE A.I.A.

Mayor Palmer read a report from the Austin Chapter of the American Institute of Architects as follows:

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"The Honorable Mayor and Members
of the City Council of Austin
Municipal Building
Austin, Texas

"At your request, the Austin Chapter of the American Institute of Architects has taken under consideration the question of the possible expenditure of \$70,000 at the Town Lake in the Festival Beach area. It is our understanding that you desired our recommendations primarily as concerns whether a bridge across the channel between Festival Beach and Holly Beach should be built or should property to the north of Fiesta Gardens be purchased to fill out certain properties already owned by the City.

"In the first case, the building of a bridge obviously has virtues in that it would connect Festival Beach with Holly Beach. The Holly Beach area can, however, be approached by Canadian Street. There is no question but that a bridge will be necessary at some time if the master plan for this area is to be fulfilled. In our opinion, therefore, the question is when should the bridge be erected creating greater accessibility to more undeveloped land."

At this point Councilman Shanks asked if the Master Plan provided for a bridge at this location. The City Manager explained the Austin Development Plan does not show a bridge nor a road there. The Town Lake Plan does not call for a road there--it calls for a foot bridge. Mr. Page had been shown a plan indicating a swimming pool and other facilities. The City Manager stated this was not the Master Plan. Mayor Palmer continued reading the letter.

"In the second case, the purchase of the properties to the north of Fiesta Gardens also has its virtues. It is certainly true that this land could probably be purchased at a lower cost today than would be possible in the future and its acquisition would give control at the Chicon Street entrance to the area. Once again, however, question of priority arises. With limited funds available is the acquisition of more property to be added to an already large and undeveloped area the most desirable solution at this time?

"If the only solution is the choice between these two, it would seem possible to us that the funds are sufficient for the bridge to be erected and the remaining property immediate to Chicon Street be purchased. This would allow the closing of Chicon Street in this area and afford increased area for other uses.

"It is our hope, however, that the Council would consider a third alternative, the actual development of a portion of the land in this area, its extent being determined entirely by the budget of \$70,000. We feel that while the two propositions have virtues as pointed out they neither one particularly afford the people of Austin facilities that would encourage more extensive use of this land or would furnish any beautification of the area. It is our opinion that with these funds available, the time has come to actually develop an area with picnic tables, possible fishing pier, grass and planting and any other facilities that planning and budget would reveal as feasible. We feel that a properly developed area would better serve the purposes of this Town Lake and the people of Austin by providing a useful and desirable setting. It would have one further advantage in that it would illustrate to the public the enormous possibilities inherent in the Town Lake area serving as a point of illustration for future development. It

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"has also come to our attention that possible matching funds are available through a Department of Interiors program called Land and Water Conservation Fund. If the Council sees merit in this proposal, it is quite possible that application for matching funds could be made and \$140,000 would become available for development along the Festival Beach area.

"Should you wish to further discuss this matter, please advise us and be assured of willingness to further serve in any advisory capacity within our province.

"Sincerely,
AUSTIN CHAPTER
AMERICAN INSTITUTE OF ARCHITECTS
s/ JOHN A. BOWMAN, President"

Councilman Shanks asked when these bonds were put to the voters, if this \$70,000 were listed for land acquisition. The City Manager stated \$200,000 was set up for land acquisition and development. Councilman LaRue pointed out there was about \$100,000 and purchase of some lots cut the amount down to \$70,000. Mayor Palmer asked who requested the study. Mr. Page stated the Director of Recreation had asked them, and one of their architects is a member of the Parks and Recreation Board. Councilman LaRue said he had consulted with the Recreation Director, had looked over this area; keeping in mind the same conflict the A.I.A. had mentioned--whether to develop for present generations or future generations--pointed out there are four key pieces of property involved on Chicon Street which could be obtained at a minimum amount. He suggested authorizing the purchase of this additional property that is required for control of Chicon and authorizing the City Manager to start preparing engineering for the site across the lagoon for a bridge, and then authorizing the City Manager to start the plans and specifications for the development of Holly Beach. It was his opinion that all of these things could be accomplished with the amount of money discussed together with additional funds from open space.

Councilman Long wanted to see the following accomplished:

1. The authorization of the purchase of the four lots on Chicon Street in order to have all the lots on the east side.
2. That the City Manager be instructed that the Council intends to build the bridge, and that he be asked to proceed with plans and designs for the bridge and start processing the reshaping of the channel.
3. That the plans be hastened along to join with the State in the conservation program and application be made for matching funds for \$140,000 or \$200,000 or \$400,000 and get on with the development of that area.

Councilman Long said it is vital to tie the two pieces of property together. During the Fiesta in the summer, there is a great need for more parking, and if this area is bridged, the people could use the beach even more. Holly Beach could be opened up for unplanned recreation, picnicking and fishing, and make the Little League Field more accessible to more people.

Mayor Palmer asked if it were their intention to reject the suggestions of the A.I.A. that a portion of the land in this area be developed, its extent being determined by the budget of the \$70,000. If these other things are done, the \$70,000 would not be available to apply on matching funds, to have \$140,000.

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Councilman Shanks asked how was this \$140,000 increased to \$400,000. Councilman LaRue stated his suggestion was only taking enough out of the \$70,000 to buy these four lots. The Mayor noted that money would cost twice as much, as it would not be available to apply on matching funds. Councilman Long said there was other money for development, and there is a portion of the road that has been planned, as it had certainly been discussed.

The Planning Director reported on the Land and Water Conservation, stating it was administered through the Bureau of Outdoor Recreation and the State of Texas Department of Parks and Wild Life, on a statewide plan for park and recreation facilities with priority so far being given to State and Regional Parks. Generally, there is no statewide plan for the smaller park areas. He estimated it would be two or more years before the smaller area plans could fit into the Land and Water Conservation Act Program. Councilman Shanks noted the \$400,000 amount would be out at this time. The Planning Director stated there were funds for development under the Open Space Program, but those funds are available only for lands that had been acquired under the Open Space Act. Councilman Shanks asked if the \$140,000 could be used to develop that land, since it had not been acquired with open space funds. It was stated it would not comply, as the land had been purchased before the Open Space Act came into being. Councilman Shanks noted then that \$70,000 was the amount to be discussed.

MR. DAVID BARROW stated the policy generally of referring these matters to the architects is a good policy, and the Council would do well to abide by that. Mr. Barrow, referring to the bridge issue, stated there was a great deal of discussion of whether or not there should be a roadway and bridge in this area, but it was not included when the Master Plan was adopted. The bridge was discussed by the Town Lake Study Committee at length, and a majority of the committee voted against a vehicular bridge across this slough, as one would invite traffic. It would not be good having traffic right at the lake. The main traffic artery should be north of the slough. Mr. Barrow stated he definitely believed it would be a mistake to construct an expensive bridge over this little slough, and suggested that the property be purchased. He asked that the Council give this more time and to look into it more. He stated it would not contribute to the beauty nor use of the area.

MR. PAGE, Architect, asked if when referrals were made, that specific proposals be in writing setting out what the Council wanted the A.I.A. to consider. They did not know if a bridge or future lands could be involved in this fund; nor the length of time to obtain grants. He agreed there would be a question of whether or not taking the money out to build this other would penalize the amount of grants. Councilman LaRue said it was important to show some progress along the lake shores; however there had been discussions about placing tax burdens on generations to come. He also agreed that something should be started on Holly Beach, and believed it could be accomplished in the manner he had stated. The purchase of four lots would be of highest importance, but that would not interfere with the development of Holly Beach.

The City Manager stated the Architects seemed to be under the impression that the bridge was called for in the Master Plan, and it was important to point out that the bridge was not in the Master Plan nor called for in the Master Plan of Town Lake. Mr. Barr, Member of the Parks and Recreation Board, said he had conveyed to the Architects the recommendation which the Parks and Recreation Board had made to the Council that this bridge be built, and it was his assumption the bridge was the same one that the Parks and Recreation Board had recommended whether or not it was on the Master Plan.

MAYOR PALMER stated the Council was criticized for spending a lot of money getting a plan developed and maybe not following the plan at all. The one to which he was referring was a plan that Mr. King and Mr. Taniguchi were paid a large fee to develop. It was made available to the public night after night at the auditorium, and the public was urged to view this plan but few came. This was the plan paid for by the City and it did not show the vehicular bridge. Councilman Shanks stated MR. BARROW had pointed out why a foot bridge was being shown rather than a traffic bridge.

The City Attorney said there had been two plans adopted by the Council. One was the General Development Plan of Town Lake, and he displayed a copy of that plan. Councilman LaRue referred to the Minutes where the Council adopted the general plan of development of Town Lake and a specific plan of development around the auditorium as recommended by the consultants, Mr. Stewart King, Mr. Alan Taniguchi, and Mr. Zissman. Councilman Long said she could not tell from the plan whether this were a foot or vehicular bridge. It was explained the strip plan, showing the general features, and a smaller section which was a part of the Master Plan were exhibited at the same time, showing a small bridge, with "foot bridge" noted.

The City Attorney stated the other thing that is material is the Master Plan which shows the thoroughfare at the same place it is shown to be on this plan and no road south of the Lagoon. If the Council wants to change this, it would be necessary to refer the matter back to the Commission. Mr. Barr questioned whether or not this road would be a thoroughfare, and they referred to the road as a park road or drive. Mr. Page referred to the plan they were shown pointing out quite a development on Holly Beach--a bath house, baseball diamonds, swimming area, etc. It was determined this was the plan drawn by C.O. SMITH and FRITZ VON OSTHOFF.

MR. PAGE stated this plan showed a nice development which would be heavily used, and he did not think something should be built and then no one could get to it. Mayor Palmer noted Mr. Page indicated the bridge would be used extensively, and Mr. Barr's contention was it would not be.

MR. DAVID BARROW said the question should be decided whether or not the Master Plan should be amended. Councilman Long was not of the opinion the Master Plan had to be amended to build a little road to tie these pieces of land together. The City Attorney read from the Charter Section 5, Article X, Legal Effect of Master Plan.

Mayor Palmer summarized the discussion, stating this development was not called for in the Master Plan; it is not recommended by the Director of Recreation; and it has not been submitted to the Planning Commission. Councilman Long noted the present road already is on the ground. The City Manager stated this was authorized by the Council in the plans for a drive to the parking lot. It is a private drive. Councilman LaRue asked Mr. Page if his suggestion would change if the bridge were not there, and the expenditure of \$50-\$70,000 were used in the development on Holly Beach with Canadian Street as access. Mr. Page replied they did not have in mind spending \$70,000 in the Holly Beach Area. Their recommendation would be development on Festival Beach or even near the Interregional Bridge. When Holly Beach is developed, he said the bridge would have to be built. Councilman Shanks asked if when the developments were made at a future date, if he thought a foot bridge as originally planned would suffice. Mr. Page said they had not had enough time to go into this. The City Manager showed the plan of the

access road into Holly Beach. The Mayor said plans were to open that area up with a main road through. Councilman Shanks asked if the architects wanted to study these plans. Mr. Page replied their opinion as stated would stand--to develop what they could on Festival Beach within the \$70,000. Mayor Palmer asked if the architects' opinion was these funds available the time has come to develop picnic areas, fishing piers, grass, planting and other facilities. Mr. Page said this was their recommendation. Councilman Shanks stated when the property was purchased there would be less for development, and the \$140,000 for aid would be out.

MR. DAVID BARROW understood if a street were created, the Planning Commission would need to pass on it. The Council would be passing on building a bridge without a street.

The City Attorney pointed to another alternative which would be to acquire the use of the foot bridge already constructed by taking it out from the Fiesta Garden lease. People could park on both sides and have complete access. Councilman Long stated in her opinion, the foot bridge was on the sand beach reserve. Mayor Palmer asked who wanted the bridge. Mr. Barr stated the Parks and Recreation Board. Mr. Page stated the A.I.A. had recommended development of Fiesta Beach.

The Planning Director reviewed this particular issue in regard to the Town Lake Plan, stating, Mr. Taniguchi; Mr. King and Mr. Zissman; members of the Town Lake Committee -- Messrs. Sale Lewis, David Barrow, Vic Mathias, Mrs. Fagan Dickson, Dr. D. K. Brace and others, along with the staffs of the Recreation and Planning Departments, went over this particular question on a number of different occasions. The general idea was to keep the road as far away from the lakeshore as possible. Much argument was had as to what would be the best and the recommendation made was the one MESSRS. KING, TANIGUCHI, and ZISSMAN incorporated in the Town Lake Plan. It was already in the Master Plan in the general form as shown on the map presented but it was to be a "Parkway" as opposed to a park road. Since there was a fair amount of traffic anticipated through this area, it would be more than a side road through Zilker Park. He said in the discussion in the adoption of the Town Lake Plan, Councilman Long had brought out the development of the Holly Beach Area, because of its particular importance as a neighborhood park, playground and playfield in the whole area. There are two ball fields developed there now. Discussion at this time covered an in-the-lake swimming pool, park, playground and playfield area.

Councilman Shanks asked if the \$70,000 were taken to purchase that land which would be open space, how much would the City realize through that program. The Planning Director answered there would be 50% participation; and he reported an open space application had been approved by the Council and submitted to the Government. Councilman Shanks then asked with the different ideas, what would be the best use of the money? The City Manager explained what had been requested was matching money for purchase of land. That application would be abandoned if the road is built. In answer to Councilman Shanks' question if it would be more feasible to have the road on the north and save this money, Mr. Page said this might develop into a good entrance if a good road leads through.

Councilman LaRue noted the plan as developed by someone, indicates some parking space, and the City is obligated to furnish parking space for 500 cars for Fiesta Gardens. He said Mr. Sheffield pointed out that 200 cars could be parked in the vicinity of the Lagoon and that would be an ideal place for that many cars, and would give access to Fiesta Gardens. The City Attorney said the

contract called for parking either south or west of the Stroborg Lake. Councilman LaRue stated the land to the south of the water is sand beach reserve. An east-west line was drawn on the map being displayed showing the sand beach reserve. The City Manager said the area west of the Lagoon was purchased from private owners. Councilman Long asked if any portions of Canadian Street, Anthony and Bogle Streets had been vacated.

Councilman LaRue expressed his feeling that the purchase of these four lots should get under way. Councilman Long said if the bridge were not built, she saw no reason to purchase the four lots. Councilman Shanks asked if the City were not going to avail itself of the open space funds that are available. The City Manager explained if the land is not to be purchased, the application might just as well be cancelled; that certain land was described to be purchased and the City had asked for matching money to pay for it. The present application for open space funds does not include these four lots. If the property is changed, it will be necessary to start over on the application. Land south of Bergman Avenue, east of Chicon, west of Canadian and north of the river.

After discussion, Councilman Long moved to authorize the City Manager to purchase the four lots that are not now owned by the City on Chicon Street; that the Council send to the Planning Commission for their review and recommendation the proposition of placing a road along the sand beach reserve, not on the edge but wherever it is best planned by the City Administration; and a bridge across the Fiesta Gardens Lagoon, and a road that will continue on down the Holly Street Beach as best designed by the City Manager and his administration. The motion was seconded by Councilman White. Before the roll call, and in discussion to the motion, Mayor Palmer read Minutes regarding Town Lake, citing the immediate concern was Council action on the Town Lake Committee's or Consultants' detailed plan around the Auditorium and of the General Plan for the rest of the Lake that Councilman Long had moved that the Council adopt the General Plan for the development of the Town Lake, and specific plans for the development around the Auditorium as recommended by the Consultants and the Town Lake Committee, and that the Consultants be commended on the good job they did. The Mayor asked, since the City paid quite a large sum for this plan, should the Architects' advice be obtained also. Councilman Long stated the Planning Commission recommendation would be sufficient.

Councilman LaRue stated the \$100,000 was designed to purchase land for a road. The City Manager stated it principally was to buy land which the Taniguchi Plan recommended to be purchased--the property north of Fiesta Gardens. The Taniguchi Plan for the acquisition of this particular land preceded any discussion or anything pertaining to Fiesta Gardens.

Roll call on Councilman Long's motion to authorize the City Manager to purchase the four lots that are not now owned by the City on Chicon Street; that the Council send to the Planning Commission for their review and recommendation the proposition of placing a road along the sand beach reserve, not on the edge but wherever it is best planned by the City Administration; and a bridge across the Fiesta Gardens Lagoon, and a road that will continue on down the Holly Street Beach as best designed by the City Manager and his administration, showed the following vote:

Ayes: Councilmen LaRue, Long, White, Mayor Palmer
Noes: Councilman Shanks

Mayor Palmer made the following statement concerning his vote:

"Since it is being referred to the Planning Commission for its recommendation, I think this is good. I want to vote for this motion, and I had certainly hoped that with the sizable amount of money we paid to our consultants to develop the plan that they would also have been consulted on it, but this is not acceptable to the motion, but the motion is that the plan be referred to the Planning Commission for its recommendation, and I will vote 'aye'."

The Council recessed for lunch.

RECESSED MEETING

The Council resumed its business.

Councilman LaRue moved that the minutes of December 22 and 29, 1966 be approved. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer

Noes: None

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 19TH DAY OF JANUARY, 1967, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN;

DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL
TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Avenue
"A" and other streets)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO, DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 19TH DAY OF JANUARY, 1967, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN;

DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Breedlove Court and other streets)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 19TH DAY OF JANUARY, 1967, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN;

DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Tinnin Ford Road)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Palmer introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 19TH DAY OF JANUARY, 1967, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN;

DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL
TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (East
10th Street Alley)

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

MAYOR PALMER announced he had a request to go to Harlingen to talk to the Rio Grande Valley Group of Mayors on Thursday, January 19th.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the erection of a boat dock on the property owned by JAMES A. WILLIAMSON as described in the Travis County Deed Records and known as Lot O, Block C in Aqua Verde Subdivision as described on the attached plot plan and hereby authorized the said JAMES A. WILLIAMSON to construct, maintain and operate this boat dock subject to same being constructed in compliance with all the ordinances relating thereto and further subject to the foregoing attached recommendations; and the Building Official is hereby authorized to issue an occupancy permit for the erection of this boat dock after full compliance with all the provisions of this resolution. Said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, fire and health regulations and the right of revocation is retained if, after hearing, it is found by the City Council that the said James A. Williamson has failed and refused and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

January 5, 1967

(Recommendation attached)

"Austin, Texas
January 3, 1967

"Memorandum To: Mr. W. T. Williams, Jr., City Manager
Subject: RESOLUTION, BOAT DOCK (Private)

"I, the undersigned, have reviewed the plans and have considered the application of Mr. James A. Williamson, owner of the property abutting on that part of Lake Austin lying upstream from the westerly extension of the south line of Windsor Road and known as Lot O, Block C in Aqua Verde Subdivision as described on the attached plans recorded in the Travis County Deed Records, for permission to construct and maintain a boat dock projecting out into the lake approximately twenty-four (24) feet beyond the normal high water level. The construction details meeting all requirements, I recommend that if Mr. Williamson is granted his request by the City Council, that it be subject to the following conditions.

"(1) That nothing but creosoted piles, cedar piles or concrete piles, substantially braced and bolted to withstand wind and water pressure, be used in the construction and that no structure shall extend more than one-third the distance from shore to shore at the point where structure is located, or be nearer than ten feet to any side property line of the owner or applicant.

"(2) That no business, such as a restaurant, dance hall, concession stand, or any other enterprise for the sale of goods, wares and merchandise, except marine supplies and tackle, and no living quarters of any character shall be erected on any pier, dock, wharf, float, island, piling, or other structure extending into or above Lake Austin.

"(3) That every structure shall be equipped with proper lights which shall show all around the horizon for night use and shall be equipped with flags or other warnings for daylight use.

"(4) That all structures extending out into the lake be constantly kept in a state of good repair and that the premises be kept reasonably clean at all times.

"Respectfully submitted,
s/ Dick T. Jordan (LED)
Dick T. Jordan, Building Official"

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the State of Texas, the County of Travis, and the City of Austin, in cooperation with the United States Department of Commerce, Bureau of Public Roads, entered into an agreement for a complete and comprehensive transportation study for the urban area of Austin and that study has been completed and,

January 5, 1967

WHEREAS, public safety, necessity and convenience requires that the same agencies enter into a contract for a continuing, comprehensive, cooperative transportation planning process as provided in the Federal Highway Act of 1962 as amended, and

WHEREAS, the continuing process is the principal means by which the transportation system and facilities can be tested and plans continually evaluated in the light of newly acquired data; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to execute on behalf of the City of Austin a contract between the State of Texas, the County of Travis, and the City of Austin, in cooperation with the United States Department of Commerce, Bureau of Public Roads, for a continuing, comprehensive, cooperative planning process with definite responsibilities and undertakings by the parties thereto and to transmit the same to the State of Texas for appropriate action.

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Manager had explained the City, County, and State would continue this transportation study year in and year out. The contract is initially for five years, providing that the City and the Highway Department would continue to do planning and studies that each normally does. There would be no additional expenditure however except in the event of some special study beyond what is being done now, to which the City would agree. This is one of the requirements of the Federal Highway Act.

PROPERTY CONDEMNATION - CLEAR ZONE

The City Attorney reported property of about two acres in the clear zone of the Airport on 51st Street, on which negotiations had been carried on for sometime, could not be closed out. He listed the last appraisal. Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the expansion of Robert Mueller Municipal Airport in the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition of the hereinafter described tract of land to provide for the expansion of said Robert Mueller Municipal Airport; and,

WHEREAS, the City of Austin has negotiated with the owners of said land and has been unable to agree with such owners as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owners and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

Being all that certain portion of Lots 27 and 28, Ridgetop Gardens, a subdivision of a portion of the James P. Wallace Survey Number 57 in the City of Austin, Travis County, Texas, according to a map or plat of said Ridgetop Gardens of record in Book 3 at Page 50 of the Plat Records of Travis County, Texas; which certain portion of Lots 27 and 28 was conveyed to Clark Lloyd, et ux, by warranty deed dated March 18, 1936, of record in Volume 536 at page 283 of the Deed Records of Travis County, Texas. (Clark Lloyd, et ux)

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

PROPERTY PURCHASED

The City Attorney discussed the Tobin property on Windsor Road showing on a plat the 15th Street proposed overpass, exits and entrances and how they fit in with the Urban Transportation Plan. Discussion was held on the Transportation Plan, and the City Manager stated it needs to be adopted, rejected or amended. The City Manager stated if the property were going to be acquired, now would be time, rather than buying a portion at this time for the first phase and a part later. The City Attorney submitted figures of the amount the property was assessed at full value. He stated to obtain the right of way in time for the contractor to begin it will be necessary to proceed with this acquisition and the Tobins had agreed to settle for the appraised value. After more discussion, Councilman LaRue moved to authorize the City Manager to purchase the property. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Shanks, White, Mayor Palmer
Noes: Councilman Long

Mayor Palmer introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH KASSUBA DEVELOPMENT CORPORATION FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The City Attorney explained this contract had been held up until provisions for street paving, etc. had been made.

The ordinance was read the first time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the second time and Councilman LaRue moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Mayor announced that the ordinance had been finally passed.

REAL ESTATE

The City Attorney reported a receipt of a letter from MR. TED WENDLANDT asking the Council to place a price on a lot and allow them to purchase it. The Council had asked two weeks ago that this land be advertised for sale. Mr. Wendlandt represents an adjoining property owner. The property could be sold to the adjacent owner, or the Council would not be obliged to sell it if it wanted to do otherwise. Mayor Palmer asked that an appraisal be obtained, and the Council take a look at the lot then and see what it wanted to do. (South side of Ben White Boulevard between Gillis and Banister Lane)

UTILITY ADVISORY BOARD

The Council had before it the ordinance creating the Utility Advisory Board. Councilman Shanks moved that the ordinance creating the Advisory Board be passed, Councilman White seconded the motion. The City Attorney read the ordinance as follows:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE BY ADDING THERETO A NEW CHAPTER DESIGNATED CHAPTER 46 PERTAINING TO THE ESTABLISHMENT OF A UTILITY ADVISORY BOARD FOR THE CITY OF AUSTIN; AND SUSPENDING THE RULE CONCERNING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. That the Austin City Code of 1954 be hereby amended by adding thereto a new chapter designated Chapter 46, Utility Advisory Board, which shall read as follows:

CHAPTER 46

UTILITY ADVISORY BOARD

- Sec. 46.1. Creation; Composition; Qualification and Terms of Members.
- Sec. 46.2. Compensation of Members; Organization.
- Sec. 46.3. Rules and Regulations.
- Sec. 46.4. General Authority and Duties.
- Sec. 46.5. Cooperation with Citizens; Agencies; Industries.

Sec. 46.1. Creation; Composition; Qualification and Terms of Members.

There is hereby created the Utility Advisory Board which shall be composed of eleven citizens of the City, who pay taxes on real property within the City and who are known to be interested in the preservation, increase, and enhancement of the public and private assets of the community at large through fiscally sound, service oriented, ably administered city owned water, sewer, and electric utility systems. Each member of the City Council shall appoint one member of the Board; the Austin Bank Clearing House Association shall appoint four presidents of member banks to serve as members of the board; and the Austin Savings and Loan Clearing House Association shall appoint two presidents of member institutions to serve as members of the Board. Members appointed by councilmen shall serve until May 16 of the next ensuing even numbered calendar year. Other members of the board shall serve until May 16 of the second succeeding even numbered calendar year. Each member shall serve until his or her successor has been appointed and qualified. Appointments to fill vacancies among members appointed by councilmen shall be made by the councilman occupying the council place which was held by the councilman who appointed the member whose membership is terminated. Appointments to fill other vacancies shall be made by the same association which appointed the member whose membership is terminated.

Sec. 46.2 Compensation of Members; Organization.

The members of the Utility Advisory Board shall serve without pay, and upon qualifying after appointment the board shall meet for the purpose of organizing and selecting one of its members as chairman, one as vice-chairman, and one as secretary.

Sec. 46.3. Rules and Regulations.

The Utility Advisory Board shall adopt such rules and regulations as it deems best to govern its actions, subject to the general laws of the state, the city charter, this code, the covenants of the debentures of the utility systems and other ordinances and actions of the city council.

Sec. 46.4. General Authority and Duties.

The Utility Advisory Board shall act generally in an advisory capacity to the city council and the city manager, concerning policies applicable to the acquisition, development improvement, equipment and maintenance of all utility facilities and properties owned and controlled by the city within and without the corporate limits. It shall be the duty of the Board to advise the city council and city manager concerning policies applicable to the future development of the utilities owned by the city; to study and recommend sound financial policies and plans for the investment and use of bond funds and revenues of the utility systems; to study and make recommendations concerning policies applicable to the purchase, permanent improvement or change of use, or disposition of any substantial part of the facilities of any city-owned utility; to advise the city council and city manager concerning ways and means of improving services rendered to the public by such systems, increasing the ways and means of preserving and increasing the benefits from the city's investments in its systems, and to advise the use of ways and means of preserving and increasing the city's equity in its systems. The Board shall not exercise administrative control of any of the employees of the city or of any administrative matter pertaining to the utility systems, but shall have furnished to it, at all times any information pertaining to such systems and shall be privileged to make recommendations from time to time as may be considered by the Board to be proper. Policies, plans, and

recommendations formulated by the Board shall be submitted to the City Council for adoption or change as may be advisable, and it shall not be lawful for any employee or department of the city to deviate from such policies, plans, and recommendations outlined by the Board and approved by the City Council, without submitting such changes to both the Board and the City Council for approval.

Sec. 46.5. Cooperation with Citizens; Agencies; Industries.

The Utility Advisory Board shall at all times seek to promote close cooperation between the city utility systems and all private citizens and all private and public institutions, agencies, and industries which should be interested in the services, facilities or resources of the city's utility systems, to the end that all such services, facilities, and resources of such systems may be coordinated to secure the greatest public welfare consistent with sound financial planning and management.

PART 2. Pursuant to the provisions of the Austin City Code, the rule requiring the reading of ordinances on three separate days has been suspended by the City Council.

The City Attorney stated this ordinance followed the one creating the Parks and Recreation Board. Councilman Long opposed the provision that each member of the Council shall appoint one member of the Board stating that was not the way for the Council to proceed; that it would be better for the Council to pick out the members instead of each Council Member coming in with a name. She was opposed to having the Clearing House Association appoint the Presidents of the Banks, and the Clearing House Association for the Savings and Loan appointing two presidents. She said the Council should appoint these and that she would never vote for this as long as somebody else makes the appointments. Councilman Shanks moved that the ordinance as written be adopted. The motion died for lack of a second.

Councilman Long stated this was an Advisory Board to the Council, and the City Manager should not be brought into it. The City Manager stated both the Hospital Board and the Parks and Recreation Board advise the City Manager. Councilman Long contended the Board should be an advisor to the Council only. Discussion was held on whether or not this ordinance should be patterned on the Parks and Recreation Board ordinance. The City Attorney stated this ordinance under consideration followed the same lines of the Parks and Recreation Board wherein the Parks and Recreation Board shall act generally in an advisory capacity to the City Council and the City Manager and this ordinance states the Utility Advisory Board shall act generally in an advisory capacity to the City Council and the City Manager. The City Attorney said another matter in which Councilman LaRue was particularly interested was the over lapping or continuing nature of this type of service, and a method of having every Council Member to have a voice in what occurred, would be to have the appointment made to extend to the even number of years. This provision was read.

The question of the appointment of the presidents of banks and presidents of savings and loan associations was discussed. Councilman Long said there were presidents of certain banks that the Council could name, and the Council should reserve this prerogative for itself; and the same thing with the savings and loan associations. She did not want anyone else to make these appointments. She favored cutting off the savings and loan group and having six lay people and five bankers. Mayor Palmer stated if four presidents from four larger banks were selected, then the smaller banks would have no representation. Councilman Shanks

said the ordinance was good as it was written and if this Board was selected on the unbiased thinking through the clearing house, this would be most impressive to the people looking at the City's prospective; and their realizing there was an unbiased board chosen by the clearing house, it would be effective. Councilman Long suggested appointing six real good lay people and five bankers. In answer to Councilman Long's question, the City Attorney read the provision of the ordinance wherein the Board shall advise the City Council and City Manager concerning policies applicable to the future development of the utilities, study and recommend sound and financial policies and plans; study and make recommendation concerning policies applicable to the purchase, permanent improvement, change of use, or disposition of any substantial part. If there is to be any disposition it would have to be submitted to the Board; and under the Charter it would not have to.

MAYOR PALMER stated MR. ED WROE brought out that San Antonio had a AAA rating, and the San Antonio Board is constituted and the whole control is by the bankers with the Mayor as ex official member. The Board is self perpetuating and the bankers in turn name their successors. Councilman Long pointed out San Antonio owns its own gas system and its electric system. The Mayor stated they had a greater equity in the system. The City Manager said the reason San Antonio had the rating it does is because only 14% of the gross revenues of the gas and electric system is transferred to the General Government. Mayor Palmer explained that the big rating houses, MOODY'S, DUNN & BRADSTREET and STANDARD & POOR'S, realizing the only security for the revenue bond is the revenue from the system, place a lot of weight on how the system is being controlled, how much is being transferred out, rate structure, etc. He stated if this Board were to be complete lay Board, the whole purpose of the Board would be defeated. The strength of the proposition would be to have the six bankers and five lay people. He would suggest appointing people experienced in the utilities area; and together with the bankers, they would make an excellent board. The Mayor said Austin has a good system, and it has been pointed out by the New York banks that for a municipally operated utility system, Austin's system was as finely operated as any privately owned or investor owned system.

Councilman Long pointed to a phrase she did not like--"policy, plans, recommendations, formulated by the Board shall be submitted to the City Council for adoption or change as may be advisable". She suggested it should read, "for recommendation, for adoption or change as may be advisable."

Councilman LaRue was concerned about one basic principle, and that was each Council Member shall appoint one member of the Board. He objected to this. These individuals should be appointees of the City Council. On the question of the banks or the savings and loan, those members should also be appointees of the City Council. He asked if there were a precedent. Councilman Shanks asked if he gave any credence to the argument he had mentioned that if the clearing houses appoint these members, that it would lend stronger emphasis to the financial bearing on the bonds. Councilman Shanks believed this was the purpose of the Board. In further discussion of the appointment of the members, Mayor Palmer asked if the Clearing House and Savings and Loan Associations recommended the presidents and the Council appointed them, would that be satisfactory. Councilman LaRue and Councilman Long both stated they felt they were responsible to the public as elected officials. Councilman LaRue asked if there had been a precedent where members of a board were not appointed by the Council. It was pointed out the Chamber of Commerce had appointed two members of the Town Lake Committee. Different members of the Council wanted to study this ordinance more in detail, and MAYOR PALMER stated the Council would consider this next week.

RENT SUPPLEMENT - WORKABLE PROGRAM

Mayor Palmer was in receipt of a letter from MR. C. T. MACLEOD, Federal Housing Administration, concerning his letter of December 29th, pertaining to a statement that rent supplement housing is to be a part of Austin's Workable Program. Mr. Macleod's letter cited this would implement the approval of the David Chapel Missionary Baptist Church, and in the future rent supplement projects for Austin. The David Chapel Missionary Baptist Church had applied to build an apartment house and had applied for rent supplement funds to be used in connection with the apartment. Mayor Palmer wanted the Council to be cognizant of the fact that rent supplement was a part of the Workable Program. The City Manager explained the statement that the Mayor is to sign the City did plan in its Workable Program to have low cost housing such as this, that was available. Councilman Long moved that MAYOR PALMER be authorized to sign the letter that he has outlined having to do with the supplement. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, Mayor Palmer
 Noes: Councilman White

Councilman Shanks asked for an explanation of rent supplement. The Planning Director reported this was computed on a formula basis, set up in individual areas, with limitations, where a family could pay only a certain percentage of their gross income, including utilities and the Federal Government would pay the additional not to be more than 50% in a certain type of project where the total rent is very low.

AUSTIN EQUAL CITIZENSHIP CORPORATION

Mayor Palmer asked if each member of the Council received the "Report to the Mayor and City Council" from the Austin Equal Citizenship Corporation on December 8th. All members indicated they did have copies. The Mayor asked if they wanted to study it and review it, and thank the committee. Councilman Long wanted to review it again.

Mayor Palmer referred a street light request on Theresa Avenue to Councilman Ben White.

OEO PROGRAM - HUMAN OPPORTUNITY COMMITTEE

MAYOR PALMER stated the Human Opportunity Committee of the Community Council wanted to call to the Council's attention several matters concerning the War on Poverty in the community: (1) July 1, 1967, the non-Federal share in O.E.O. programs will increase to 20%. Each delegate program was being asked to come up with this additional amount. (2) The program year in the future will begin on May 1. As the present program goes beyond this date, O.E.O. will terminate the present year grant on April 30, 1967, and fund for a full 12 months, beginning May 1, 1967. Unexpended funds will be applied on the new fiscal year. New applications are being prepared and Dr. Primer would be forwarding programs on Dental Service and Family Planning to the City Manager in the near future. The Human Economic Committee will study each existing program very carefully and accept applications, knowing that less funds will be available from O.E.O. than in the past year. Mr. Ehlers said they were well pleased with the over all development and hoped they would become even more effective in the future. He thanked

the Council for its help, and the City employees for the excellent cooperation given. The Mayor stated the Council appointed the Community Council as Coordinator between the County, Schools and the City, but it can no longer serve in that capacity. The City Manager stated the Human Opportunity Committee had been substituted for the Community Council and would act in the Coordinating Capacity. Mayor Palmer pointed out the questions were, is the Council going to go above its 10% and continue O.E.O. and if the Human Opportunities Committee will be the coordinator. The City Manager stated the program was under way and the City had agreed to participate 10% in the program that exists. According to his information it would cost \$24.00 more during the remainder of this fiscal year than originally planned and there is no problem for this fiscal year, but the Council has the question of whether or not the Human Opportunity Committee will represent the City.

TOWN LAKE REQUEST FOR BOAT DEMONSTRATION

Mayor Palmer read a request from the Texas Marine Trade Association requesting the use of Town Lake to demonstrate their boats during the period that Lake Austin is lowered in March 1967. The lowering of Lake Austin places an extreme hardship on all boat dealers. The marine dealers want to use only the area east of the Interregional Bridge. Councilman Long stated they would have to use Lake Travis, as this would be making a commercial lake out of Town Lake. Councilman Shanks moved that the request be granted. The motion failed to receive a second. Councilman Long moved that the Council deny the request. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, White,
Noes: Councilman Shanks and Mayor Palmer

Councilman Shanks stated Austin citizens were not going to be taken care of when they were in distress like these people will be in during the lowering of the lake for a month.

CHRISTMAS STREET LIGHTING

Mayor Palmer read a letter from DOROTHY BRUSH expressing thanks for the prettiest street lighting at Christmas she had ever seen. She expressed appreciation for the time, thought, and money that went into these lovely decorations.

EXTRA TERRITORIAL JURISDICTION

Mayor Palmer had a letter from MAYOR HENRIETTA JACOBSON, West Lake Hills attaching a draft of agreement concerning overlapping portions of the extra territorial jurisdiction of West Lake Hills, Rollingwood, and Austin, and providing that West Lake Hills exercise subdivision control over one-half mile, as authorized by the Municipal Annexation Act of 1963. The Planning Director stated the most critical situation now is in the Rollingwood area; and he thought it would be good to review this matter, get the City's suggestion, and refer it to the Regional Planning Commission. It would be a guide for the City Planning Commission on development south and west of West Lake Hills and other areas. The City Manager pointed out the subdivision control matter would very strongly influence the needs for various kinds of utilities. If a sanitary sewer system is installed for intensive development around West Lake Hills, it would have to be

installed, owned and operated by Austin but perhaps be in another town. The City Attorney said he did not believe there was any organized, comprehensive, active planning being done by any city in Travis County except Austin; nor any exercised control of subdivisions except in Austin. Mayor Palmer stated his position was that the City should maintain whatever extra territorial jurisdiction the City of Austin has; and these cities retain only what they are entitled to by State Law. Councilman LaRue agreed 100%. Councilman LaRue moved that the City Manager be authorized to take whatever steps necessary to determine the boundaries and exercise jurisdiction of the extra territorial area. The motion, seconded by Councilman Shanks, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The City Attorney briefly discussed the standard contract with the Water District providing for the sale of water to residents of West Lake Hills living within a described area.

MAYOR PALMER announced each member of the Council received a copy of the Travis County Grand Jury Report, and the Council would study it.

MAYOR PALMER had a request from the League of Women Voters to proclaim a week for them.

The Planning Director reported that DR. STUART MacCORKLE had submitted a letter of resignation from the Airport Zoning Board.

The City Manager stated there was a vacancy on the Retirement Board due to the death of MR. LOUIS STRUHALL.

AMBULANCE SERVICE

Councilman Shanks noted the ambulance people were anxious to meet with the Council, and the Council will need more information on this operation. Councilman LaRue asked that additional information be obtained on what is taking place in El Paso, San Antonio, Fort Worth and Amarillo, and that data be brought up to date. Mayor Palmer stated about 40 Mayors would be in Austin on Monday to meet with Governor Connally, and he said he would like to ask them what they have done or are doing on this problem.

CONDEMNATION - RIGHT OF WAY - 45TH UNDERPASS ON MO-PAC

The City Attorney stated it was necessary to acquire right of way for the 45th Street Underpass on the Missouri Pacific Boulevard. MR. JOHN DRAPER had built this house himself, and it is a fine home, and his view of the worth of the property is about \$12,000 over the highest appraisal. The City Attorney stated negotiations had been made with his attorney, Mr. Kuykendahl. The contract has been let, and it will be necessary to have possession of this property right away. Councilman LaRue offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City Council of the City of Austin has found that public necessity requires the construction of an underpass in the vicinity of the intersection of West 45th Street with the proposed Missouri-Pacific Boulevard, and the construction and improvement of a road connecting said underpass with Perry Lane, in order to provide for the free and safe flow of traffic in the indicated area within the City of Austin; and,

WHEREAS, the City Council has found and determined that public necessity requires the acquisition in fee simple of the hereinafter described tract of land to permit the construction and improvement hereinabove mentioned and for other public purposes; and,

WHEREAS, the City of Austin has negotiated with the owner of said land and has been unable to agree with such owner as to the fair cash market value thereof; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to file or cause to be filed against the owner and lienholders, a suit in eminent domain to acquire fee simple title for said purposes to the following described tract of land, to-wit:

All of Lot 1, Block C, Highland Park West, in the City of Austin, Travis County, Texas; said subdivision being of record in Book 4, at Page 299 of the Plat Records of Travis County, Texas.
(John B. Draper)

The motion, seconded by Councilman Shanks, carried by the following vote:
Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

There being no further business, Councilman Shanks moved that the Council adjourn. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen LaRue, Long, Shanks, White, Mayor Palmer
Noes: None

The Council adjourned at 5:00 P.M. subject to the call of the Mayor.

APPROVED

L. E. Palmer
Mayor

ATTEST:

Grace Monroe
Asst. City Clerk